
HOUSE BILL No. 1041

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-1.1-21.2.

Synopsis: PILOTs for DNR land in certain counties. Requires the department of natural resources to make a semiannual payment in lieu of property taxes (PILOT) for land owned or leased by the department in counties where at least 20% of the county's total acreage is owned by the state of Indiana or the United States. Provides that for purposes of calculating a PILOT, the land is considered to have an assessed value of \$165 per acre. Makes an annual and continuing appropriation for a PILOT from the state general fund.

Effective: March 1, 2001 (retroactive); July 1, 2001.

Oxley

January 8, 2001, read first time and referred to Committee on Ways and Means.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1041

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 6-1.1-21.2 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 MARCH 1, 2001 (RETROACTIVE)]:

4 **Chapter 21.2. Payments in Lieu of Property Taxes**

5 **Sec. 1. As used in this chapter, "department" refers to the**
6 **department of natural resources.**

7 **Sec. 2. As used in this chapter, "PILOT" refers to a payment in**
8 **lieu of taxes.**

9 **Sec. 3. (a) This section applies to a county in which at least**
10 **twenty percent (20%) of the total acreage of land within the county**
11 **is owned by the state of Indiana or the government of the United**
12 **States.**

13 **(b) A county is entitled to a payment in lieu of taxes (PILOT)**
14 **from the department for land within the county that is:**

15 **(1) owned or leased by the department on March 1 of the**
16 **previous year; and**

17 **(2) exempt from the payment of property taxes.**



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1 **Sec. 4.** On May 1 and November 1 of each year, the department
 2 shall make a PILOT to each county that is entitled to receive a
 3 PILOT under section 3 of this chapter.

4 **Sec. 5.** The PILOT required to be paid under section 4 of this
 5 chapter for land described in section 3(b) of this chapter,
 6 regardless of how the land is used, must equal the amount of
 7 property taxes that would have been levied upon the land using an
 8 assessed value of one hundred sixty-five dollars (\$165) if the land
 9 were not exempt from property taxation.

10 **Sec. 6.** Not later than September 1 of each year, the auditor of
 11 state shall provide the township assessor of each township in which
 12 land described in section 3(b) of this chapter is located with a
 13 report of:

- 14 (1) the number of acres of land described in section 3(b) of
 15 this chapter that are located in the township; and
- 16 (2) any other information required by the state board of tax
 17 commissioners;

18 on a form prescribed by the state board of tax commissioners.
 19 However, with the consent of the state board of tax commissioners,
 20 the auditor of state may distribute the information required under
 21 this section in an electronic format.

22 **Sec. 7.** A PILOT shall be billed, is due, bears interest if unpaid,
 23 and shall be distributed to a political subdivision within a county
 24 in the same manner as ad valorem property taxes. A PILOT shall
 25 be treated in the same manner as a property tax for purposes of the
 26 procedural and substantive provisions of law.

27 **Sec. 8.** The state board of tax commissioners shall prescribe a
 28 form for the transfer of information required under section 6 of
 29 this chapter. The state board of tax commissioners may adopt
 30 standards for the reporting of information under section 6 of this
 31 chapter that are necessary to assist townships, counties, and
 32 conservancy districts with the implementation of this chapter.

33 **Sec. 9. (a)** The PILOT transfer fund is established for the
 34 purpose of providing money for the distributions for payments in
 35 lieu of property taxes made by the department under section 4 of
 36 this chapter. The fund shall be administered by the auditor of state.

37 **(b)** The expenses of administering the fund shall be paid from
 38 money in the fund.

39 **(c)** The treasurer of state shall invest the money in the fund not
 40 currently needed to meet the obligations of the fund in the same
 41 manner as other public money may be invested.

42 **(d)** Money in the fund at the end of a state fiscal year does not



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1 revert to the state general fund.

2 **Sec. 10.** There is annually appropriated from the state general
3 fund to the PILOT transfer fund the amount necessary to make the
4 distributions required by this chapter.

5 **Sec. 11.** There is continuously appropriated from the PILOT
6 transfer fund an amount necessary to make the distributions
7 required by this chapter.

8 **SECTION 2.** [EFFECTIVE JULY 1, 2001] (a) Notwithstanding
9 IC 6-1.1-21.2, as added by this act, a PILOT (as defined in
10 IC 6-1.1-21.2-2, as added by this act) is initially due for property
11 taxes first due and payable after December 31, 2001.

12 (b) In cooperation with the auditor of state, the state board of
13 tax commissioners shall, not later than August 1, 2001, prescribe
14 a form for the auditor of state to report the information needed to
15 carry out IC 6-1.1-21.2-6, as added by this act.

16 (c) This SECTION expires December 31, 2002.

17 **SECTION 3.** An emergency is declared for this act.

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